

United States Bankruptcy Court  
Northern District of California

In re:  
Theya Prakashini Kanagaratnam  
Debtor

Case No. 24-40209-WJL  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0971-4  
Date Rcvd: Oct 04, 2024

User: admin  
Form ID: pdfecoc

Page 1 of 1  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 06, 2024:

Recip ID	Recipient Name and Address
db	+ Theya Prakashini Kanagaratnam, 2316 Lakeshore Avenue #16, Oakland, CA 94606-1055

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 06, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 4, 2024 at the address(es) listed below:

Name	Email Address
Office of the U.S. Trustee/Oak	USTPRegion17.OA.ECF@usdoj.gov
Paul Mansdorf	paul@mansdorftrustee.com Paul.Mansdorf@txitrustee.com,ecf.alert+Mansdorf@titlexi.com
Richard L. Stevenson	on behalf of Creditor CITIBANK N.A. rls@tblaw.com
Theron S. Covey	on behalf of Creditor U.S. BANK TRUST NATIONAL ASSOCIATION tcovey@raslg.com

TOTAL: 4



The following constitutes the order of the Court.  
Signed: October 4, 2024

A handwritten signature in black ink, reading "William J. Lafferty, III", is positioned above a horizontal line.

William J. Lafferty, III  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re

Theya Prakashini Kanagaratnam,  
Debtor.

Case No. 24-40209 WJL

Chapter 7

**MEMORANDUM REGARDING DEBTOR'S NOTICE TO THE COURT**

This matter comes before the Court upon *pro se* Debtor's recently-filed *ex parte* notice to the Court on September 25, 2024 (the "Notice"), requesting, among other things, for the Court to bring "Contempt of Court Charges against US Bank, Selene Finance and their Substitute Trustee MTS Financial DBA Trustee Corps" ("the Creditor") for scheduling a Trustee's Sale of Debtor's real property. (Dkt. # 38).

Notwithstanding the Debtor's requests for various relief and the purported factual and legal support, the Court lacks the authority to provide the Debtor's requested relief because the Debtor received a discharge in their Chapter 7 case on June 5, 2024. To the extent that the Creditor had rights concerning Debtor's Real Property at the outset of the case, the automatic stay enjoining them from exercising all available rights and remedies with respect to the real property collateral under the Deed of Trust was terminated on the date of discharge. Under § 524(a)(2), a creditor's right to foreclose on collateral survives bankruptcy, notwithstanding the

1 discharge of personal liability. *Johnson v. Homes State Bank*, 501 U.S. 78, 82-83, 111 S.Ct  
2 2150, 2153, 115 L.Ed 2d 66, 73-74, 24 C.B.X.2d 1171, 1175 (1991).

3 To the extent that the Debtor is requesting injunctive and other equitable relief, the  
4 Court finds that the requests suffer from various lethal procedural and substantive defects. For  
5 example, the Debtor failed to comply with the Federal Rules of Bankruptcy Procedure 7001(7),  
6 which requires a party to file an adversary proceeding when requesting to obtain an injunction  
7 or other equitable relief. *See* Fed. R. Bankr. Proc. 7001(7). Further, the Notice was not  
8 prepared as a formal complaint and is devoid of some rational basis for the requested relief. It  
9 is also unclear to the Court whether the Notice was served on all affected parties.

10 Accordingly, upon due consideration of the Debtor's Notice, the governing law, and  
11 the balance of the record, the Court HEREBY ORDERS as follows:

12 1. The Court lacks authority to consider the purported requests for injunctive and  
13 equitable relief contained in the Notice because the Debtor received a discharge, and the  
14 Secured Creditor is thus entitled to foreclose on their collateral.

15 2. To the extent that the Notice constitutes an attempt to seek other forms of  
16 injunctive or equitable relief, that request is DENIED because the Debtor has not requested  
17 such relief and has not articulated some rational basis therefor.

18 **\*\*END OF ORDER\*\***  
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**COURT SERVICE LIST**

**Theya Prakashini Kanagaratnam**  
2316 Lakeshore Avenue #16  
Oakland, CA 94606